

Rhode Island Division of Public Utilities and Carriers – Cable Section

2007 Dockets

2007-C-1 VERIZON CABLE APPLICATION FOR SERVICE AREAS 2, 3 and 8

On March 8, 2007, Verizon submitted an application to the Division for a Compliance Order Certificate to provide cable service in Service Area 2 (Providence and North Providence), Service Area 3 (Cranston, Johnston, Scituate and Foster) and Service Area 8 (Westerly, Hopkinton, Richmond, Charlestown, South Kingtown and Narragansett).

The Division held a pre-hearing conference on April 2, 2007 and established a schedule for intervenor participation and for public hearings. Public hearings were held on May 16 in Providence, May 17 in Cranston and May 24 in South Kingtown.

A public hearing was held at the Division's offices on June 7, 2007 to allow for presentation of Verizon's legal case. Subject to conclusion of the hearing, position briefs were filed by intervenors Cox Communication and Full Channel Television. The DPUC cable advocacy section did not file a brief as it indicated its support for the application during the public hearing process.

The briefs expressed concern relative to three issues, namely: that separate compliance order certificates be issued by the Division for each service area; that Verizon should be responsible to bear its fair share on the cost of operating and maintaining return paths from remote locations where public access programming is originated and transported to public access studios; and, that Verizon provide a detailed explanation of its obligations concerning signal leakage.

After careful consideration the Hearing Officer and the Administrator of the Division issued its official order on August 21, 2007 approving three, and separate, compliance order certificates for service areas 2, 3 and 8. The Division did not condition the certificates relative to the "return path" issue or the "signal leakage" issue and suggested that these matters could be addressed in separate cases if Cox or Full Channel felt the need. The Hearing Officer did not feel that either issue should affect level playing field agreements already reached in the service area 6 case.

On August 21, 2007, Verizon electronically filed an acceptance letter for all three compliance order certificates.

2007-C-2 BARRY COOK "VOICES IN YOUR HEAD" PUBLIC ACCESS CASE (CLOSED)

The Rhode Island Public Telecommunications Authority, administrator of public access television in the State of Rhode Island, pulled the April 1, 2007 showing of public access show "Voices In Your Head" based on concerns related to obscenity and copyright violations of the Public Access Rules. Barry Cook refused to "cure" the

program and requested an informal hearing before the Division. The RIPTA forwarded a letter of request for the hearing to the Division and a hearing was scheduled for April 12, 2007 at the offices of the Division.

After discussion, Mr. Cook agreed to withdraw the tape and cure the program to avoid any formal action by the Division. Subsequently, Mr. Cook withdrew the tape altogether. An Order was issued by the Division on April 24, 2007 closing the case.